

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROY OLIVER CAMPBELL,

Defendant.

CR 13-62-GF-BMM

**ORDER**

This case was referred to United States Magistrate Judge John Johnston for a revocation hearing and findings and recommendations. Judge Johnston entered his findings and recommendations on March 7, 2016. Defendant admitted he had violated Standard Condition 3 of his supervised release by failing to follow the instructions of his probation officer, and he had violated Standard Condition 7 of his supervised release by using methamphetamine. Judge Johnston found the admissions sufficient to establish the supervised release violations. Judge Johnston recommended that the Defendant be placed in custody for 12 months and one day, with 24 months of supervised release to follow. Judge Johnston further recommended that the Defendant's supervised release conditions be amended to include a condition requiring the Defendant to reside in a residential reentry center for 180 days.

No objections were filed by either party. Judge Johnston's findings

and recommendations are therefore reviewed for clear error. *McDonnell Douglas Corp. Commodore Bus. Mach, Inc.*, 656 F.2d 1309, 1319 (9th Cir. 1981).

This Court agrees with Judge Johnston's findings. Defendant admitted he had violated Standard Conditions 3 and 7. Defendant could be incarcerated for up to 24 months, followed by 36 months of supervised release less any custody time imposed. The United States Sentencing Guidelines call for a term of imprisonment of six to twelve months. A custodial sentence of 12 months and one day, followed by 24 months of supervised release is appropriate. The sentence is sufficient but not greater than necessary.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 48) are ADOPTED in full and Judgment shall be entered accordingly.

DATED this 22nd day of March, 2016.

  
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Brian Morris  
United States District Court Judge